IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

SUIT NO. 3529 OF 1998.

The Oriental Air & Ship Services Ltd. ... Plaintiff.

Versus.

S.S.Woollens. ... Defendant.

Mrs.Leena Tembkar for the Plaintiff.

None for the Defendant.

CORAM : ABHAY S.OKA, J.

DATED : 10th July, 2007.

JUDGMENT.:

1. Heard the learned Counsel appearing for the Plaintiff. Defendant has not filed written statement. Considering the averments made in the plaint and the documents annexed to the plaint, this is a fit case for passing a decree by invoking sub-rule (2) of Rule 5 of Order VIII of the Code of Civil Procedure, 1908. However, interest at the rate of 6% per annum will have to be granted. Hence the suit is decreed in terms of prayer clauses (a), (b) and (c) with modification that the interest on the sum of Rs.51,019.30 will be payable at the rate of 6% per annum from the date of institution of the suit till realisation or payment.

2. Certificate copy is expedited.

Judge.